



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Randall S. Alberte, et al.	Atty. Docket No.: <u>CEA-009.01</u>
Serial No.: 09/826,287	Examiner: Baker, M.G.
Filing Date: April 3, 2001	Group Art Unit: 1639
Title: <i>Generation of Combinatorial Synthetic Libraries and Screening for Novel Preadhesions and Nonadhesions</i>	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing	
I hereby certify that the instant " <i>Response to Restriction Requirement</i> " is being deposited with the U.S. Postal Service as First Class Mail on the date set forth below in a postage-prepaid envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>May 27, 2003</u>	By: <u>Kerry Richard</u>
Date of Signature and Mail Deposit	Kerry Richard

Response to Restriction Requirement

Dear Examiner Garcia:

In response to the outstanding Restriction Requirement in the above-identified application, mailed February 12, 2002, the Applicants respectfully elect Group I, claims 1-19 inclusive. However, the Applicants respectfully assert that simultaneous examination of Invention I and Invention II would not place an undue burden on the Examiner because the claims of the two Inventions, while patentably distinct, are generally related to compounds of formula 1. See MPEP § 803 ("If the search and examination of an entire application can be made without serious burden, the [E]xaminer must examine it on the merits, even though it includes claims to independent or distinct inventions."). Therefore, the Applicants respectfully request that the Examiner modify

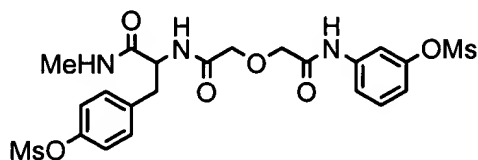
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the instant Restriction Requirement, examining Invention I and Invention II in the instant application.

Further, the Applicants make herein the five elections of Species requested by the Examiner. With respect to claims 1-19, the Applicants respectfully elect the Species wherein X represents O; Z represents alkylsulfonyl; Ar and Ar' are the same and are aryl; and T represents an amide. A specific compound that embodies these elections is presented below:



Although it is obvious that the Examiner has put a lot of thought and effort into this election of species requirement, the Applicants respectfully submit that some of the species categories are too specific. For example, the Applicants respectfully request that their election of Z equals alkylsulfonyl also include fluoroalkylsulfonyl, arylsulfonyl and $S(O)_2OH$ given that these other species are all sulfonyl moieties. Also, the linking group in the above specific compound is an amide, but it also contains an ether. A reading of the Exemplification section of the application shows that this linking group is embodied in many of the prepared compounds. Further, the above specific compound is compound **AO2** from Example 1, which was shown in Example 2 to have cell adhesion inhibiting properties. Accordingly, the Applicants respectfully request that the Examiner begin the search with the above-elected specific compound even though the linking group contains amide and ether functional groups. Claims 1-14, 18, and 19 read on the elected species.

Of course, the elections of Species made herein are made solely for search purposes. The Applicants expressly reserve the right to prosecute species not elected herein in other patent applications claiming the benefit of the filing date of this application. Furthermore, the Applicants understand that upon allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. *See* 37 CFR 1.141.

Fees

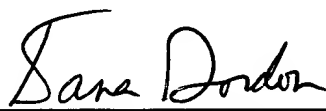
The Applicants believe no fee is due in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Respectfully submitted,
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